

Notice of Allowability

Application No.

09/884,393

Applicant(s)

TENORIO, MANOEL

Examiner

Naeem Haq

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/12/2006.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08)
Paper No./Mail Date 3/9/04; 1/31/05; 8/6/04; 2/16/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20060526.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jeffrey A. Smith
Primary Examiner

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 12, 2006 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Agent Daren Davis on May 25, 2006.

Title (Amended): Distributed processing of sorted search results in an electronic commerce system and method

The claims have been amended as follows:

- in claim 1, lines 3 and 4, delete “the one or more computer systems collectively operable to:” and insert, in its place, the following text – the electronic commerce system further comprising computer-executable instructions stored in memory to: --;
- in claim 8, between lines 17 and 18, insert the following text – executing computer-readable instructions for processing said search results, said instructions determining: --;
- in claim 23, lines 3 and 4, delete “the one or more computer systems operable to:” and insert, in its place, the following text – the electronic commerce system further comprising computer-executable instructions stored in memory to: --;

Allowable Subject Matter

Claims 1-25 are allowed.

The following is the Examiner’s statement of reasons for allowance: Statement of allowance is in reference to independent claims 1, 8, 15, and 22-25. All other claims are dependencies of these independent claims.

The present application is directed to a method, system, and computer program for processing search results in an electronic commerce system. A search query of products and sorting parameters are communicated to a plurality sellers. The sellers process the search query and sort the results according to the sorting parameters. The

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sorted search results are communicated back to the system which then merges the results if more than one seller responds with a search result and performs a second sort operation on the merged results according to the sorting parameters. The independent claims 1, 8, 15, and 22-25 recite the uniquely patentable feature of merging sorted results if more than one seller responds with a search result and performing a second sort operation on the merged results in an electronic commerce transaction.

Discussion of most relevant prior art:

The following references have been identified as the most relevant prior art to the claimed invention.

(i) US 2002/0147704 A1 to Borchers. Borchers generally teaches sorting the results of a search query. However, Borchers does not teach or suggest sorting the results according to a sorting parameter that has been communicated to a plurality of sellers. Furthermore, Borchers does not teach or suggest merging sorted results if more than one seller responds with a search result and performing a second sort operation on the merged results in an electronic commerce transaction.

(ii) Dialog File "Modeling of electronic commerce using mobile agent" by Sohn et al. ("Sohn"). Sohn discloses using mobile agents in electronic commerce to reduce the cost of product search. However, Sohn does not teach or suggest sorting search results according to a sorting parameter that has been communicated to a plurality of sellers. Furthermore, Sohn does not teach or suggest merging sorted results if more

than one seller responds with a search result and performing a second sort operation on the merged results in an electronic commerce transaction.

(iii) Dialog File "Comparison shopping sites emerge as electronic ret" by Monica

Summers. ("Summers"). Summers discloses that websites such as MySimon.com and DealTime.com let consumers search for a product from a number of merchants to find the lowest price. However, Summers does not teach or suggest sorting search results according to a sorting parameter that has been communicated to a plurality of sellers. Furthermore, Summers does not teach or suggest merging sorted results if more than one seller responds with a search result and performing a second sort operation on the merged results in an electronic commerce transaction.

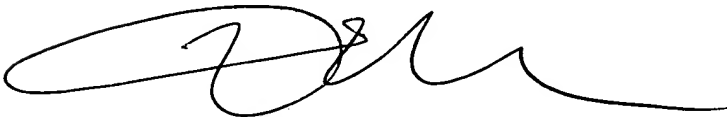
(iv) EP 1 359 520 A1 to van der Meulen et al. ("Meulen"). Meulen discloses a system for linking a group of searchable websites. However, Meulen does not teach or suggest sorting search results according to a sorting parameter that has been communicated to a plurality of sellers. Furthermore, Meulen does not teach or suggest merging sorted results if more than one seller responds with a search result and performing a second sort operation on the merged results in an electronic commerce transaction.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

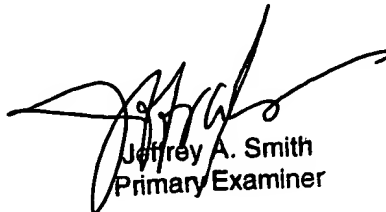
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Naeem Haq, Patent Examiner
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May 29, 2006



Jeffrey A. Smith
Primary Examiner